

GUIDANCE MEMORANDUM #4



Plan Integration

To: Terry Winters, Nassau County OEM
From: Anna Foley, URS
Date: January 4, 2006
Re: Nassau County Multi-Jurisdictional Hazard Mitigation Planning Effort

DMA 2000:

The Disaster Mitigation Act of 2000 (DMA 2000), also known as Public Law 106-390, amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act by, among other things, adding a new section, 322 - Mitigation Planning. It contains 44 CFR Part 201.6(c)(4)(ii) which states, "[The plan shall include a] process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate." To meet this requirement, the new Hazard Mitigation Plan should indicate how mitigation recommendations will be integrated into job descriptions, or existing planning mechanisms such as comprehensive plans, capital improvement plans, zoning and building codes, site reviews, permitting and other planning tools, where such tools are appropriate.

Memo Purpose:

This memorandum aims to present a summary of some key information that is presented in FEMA's How-To Guide #3 entitled "Identifying Mitigation Actions and Implementation Strategies" (available online at: http://www.fema.gov/fima/planning_howto3.shtm) and FEMA's How-To Guide #4 entitled "Bringing the Plan to Life: Implementing the Hazard Mitigation Plan" (available online at: http://www.fema.gov/fima/planning_howto4.shtm). It is intended to serve as a supplement – and not as a replacement – for the FEMA documents. URS would strongly suggest that the Planning Group members make every effort to familiarize themselves with applicable FEMA regulations and mitigation planning guidance (see "Sources of Information on Hazard Mitigation Planning" handout from Core Planning Group Meeting #1 on November 14, 2005 and PowerPoint Presentation handout from PGM1 on October 20, 2005).

Keep In Mind:

URS Corporation (URS), as the consulting company, is able to provide the Planning Group with guidance on potential means to satisfy the requirement for plan integration procedures. However, it is Nassau County and its participating jurisdictions that are ultimately in the best position to define the process. The Planning Group must coordinate among themselves to consider URS' recommendations herein and agree upon a plan integration procedure for the County's Multi-Jurisdictional Plan, to be



provided back to URS in order for URS to incorporate this information into the plan. URS will incorporate the plan integration procedures obtained from the Planning Group into the new Multi-Jurisdictional Hazard Mitigation Plan. A response is requested by close of business on January 31, 2006.

Action Items:

Action items are discussed further throughout this memorandum. They are presented in summary here. To allow URS sufficient time to draft appropriate plan sections, the Planning Group must:

- Provide URS with a response regarding the plan integration procedures by close of business on January 31, 2006.
- Provide URS with the completed forms (Local Capability Assessment and Local Hazard Mitigation Capabilities) discussed in the subsequent section by close of business on January 31, 2006.



Section 1 – Implementation Through Existing Planning Mechanisms

URS suggests that the Planning Group facilitate its duties by using existing processes and resources while implementing the plan and fulfilling the mitigation goals. An important step in any mitigation implementation process is to take advantage of tools and procedures that are already in place. For additional details, please refer to FEMA's How-To Guide #3 entitled "Developing the Mitigation Plan: Identifying Mitigation Actions and Implementing Strategies," available online at: http://www.fema.gov/fima/planning_howto3.shtm.

Tapping into existing resources will alleviate the workload and accelerate the implementation process, particularly if the implementation phase calls for expanding existing agency mandates or departmental funds, for instance, or creating new programs later on.

While undergoing the implementation procedures, the Planning Group will need to rely on the diverse resources of the state or the community, for example. Although many of the tools employed in this process already exist in one form or another, the team members should try to remain as creative and resourceful as possible while advancing the plan's goals and objectives. To conclude, the Planning Group's goal is to take action by implementing the plan in a timely manner and with the least amount of inconsistencies and setbacks as possible. By following the suggestions provided by URS within this memorandum, this goal should be more easily accomplished by the Planning Group members.

In order for URS to assist in the Planning Group's identification of plan integration procedures, URS requests that the Planning Group complete:

- FEMA's How-To #3 Worksheet #3 – Local Capability Assessment
- FEMA's How-To #3 Job Aid #2 – Local Hazard Mitigation Capabilities

These forms are attached here, for your convenience (see Attachment A). URS would suggest that each Planning Group member fill out the forms. Responses will be needed at URS by January 31, 2006, for incorporation into the draft plan.

Section 2 – Key Points and Some Examples

Key Points to Consider

In the process of fulfilling the necessary requirements mandated in DMA 2000, URS suggests that the subsequent questions be addressed:

1. Does the plan identify other local planning mechanisms available for incorporating the requirements of the mitigation plan?
2. Does the plan include a process by which the local government will incorporate the requirements in other plans, when appropriate?



Some Examples

Examples of using existing resources to accomplish mitigation, as taken from FEMA's How-To #4, Pages 2-2 and 2-7, are included in Attachment B. In addition, the excerpts below are a sample of acceptable texts for plan monitoring, evaluating and updating, as taken from FEMA's Interim Criteria, Part 3 – Local Mitigation Plans, Page 3-49, and from the Hazard Mitigation Plan for Atlantic City, New Jersey, (Section VIII, Plan Maintenance, September 2004).

FEMA's Sample

"Rocky County currently utilizes comprehensive land use planning, capital improvements planning and building codes to guide and control development in the County. After the County officially adopts the Hazard Mitigation Plan, these existing mechanisms will have hazard mitigation strategies integrated into them.

After adoption of the Mitigation Plan, the County will require that local municipalities address natural hazards in their comprehensive plans and land use regulations. Specifically, one of the goals in the Mitigation Plan directs County and local governments to protect life and property from natural disasters and hazards. The County Planning Department will conduct periodic reviews of the County's comprehensive plans and land use policies, analyze any plan amendments and provide technical assistance to other local municipalities in implementing these requirements.

The County Building Department is responsible for administering the building codes in local municipalities. After the adoption of the Mitigation Plan, they will work with the State Building Code Office to make sure that the County adopts and is enforcing, the minimum standards established in the new State Building Code. This is to ensure that life/safety criteria are met for new construction.

The capital improvement planning that occurs in the future will also contribute to the goals in the Hazard Mitigation Plan. The County Natural Resources Department will work with capital improvement planners to secure high-hazard areas for low risk uses.

Within six months of the formal adoption of the Mitigation Plan, the policies listed above will be incorporated into the process of existing planning mechanisms."

Atlantic City, New Jersey Excerpt

Plan Integration

"The Disaster Mitigation Act of 2000 (DMA 2000), also known as Public Law 106-390, amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act by, among other things, adding a new section, 322 - Mitigation Planning. It contains 44 CFR Part 201.6(c)(4)(ii) which states, "[The plan shall include a] process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate."

During a conference call on March 11, 2004, the Committee noted the following capabilities in relation to mitigation planning and opportunities to integrate the mitigation plan. Progress will be included in annual evaluation reports (prepared by the Plan Maintenance Subcommittee Chairman).

1. *The Building Department has the authority to review site plans. The Building Department, within their authority, will work to encourage development in the South East Inlet area of Town to minimize development in erosion hazard areas. They are planning to coordinate and meet with the South East Inlet Development Committee (a joint committee of developers, engineers, local organizations, unions and building and construction officials) to attain this*



objective. They will work within their existing authority to encourage pre-FIRM structures to be brought up to code, with a special focus on repetitive loss properties.

2. The City has a Master Plan in place. On the next periodic reexamination of the Master Plan, the Planning Committee Chairman will be responsible for updating the Master Plan to include hazard mitigation. The Chairman will be supported in this effort by the Planning Department. A member of the Planning Department was on the Hazard Mitigation Planning Committee.

3. The Planning Committee Chairman will issue a letter to each of the City's seven Directors to solicit their support and explore opportunities for integrating hazard mitigation planning objectives into their daily activities. Some activities already underway that support loss reduction are summarized below (as identified on the March 11, 2004, Committee conference call). Directors will be asked to consider new ways to integrate mitigation further.

- Department of public works – Michael Scott. Culvert Cleaning Program. At a minimum, culverts are inspected weekly to maintain good drainage.*
- Public Safety Department. Robert L. Flippin. Public outreach programs, emergency evacuation programs.*
- Planning, Zoning and Economic Development. Keith Mills.*
- Revenue and Finance. Arthur Bunting, Jr. A program is already in place to supplement matching funds required for some grants to homeowners pursuing mitigation activities.*
- Administration. Ben Fitzgerald.*
- Neighborhood Services. Tom Russo. "Voluntary Implementation Program (VIP)" is already in place. This department works to provide HUD-based loans to people in certain economic categories for rehabilitation of their dwelling units. They support activities to bring pre-FIRM structures up to code (above the BFE).*
- Human Services. Director Cash. This department's programs for the homeless include Code Blue, in which homeless populations are transported to shelters by the Public Safety Department. Human Services works with other City offices and the CRDA to subsidize new shelters, most recently, the Atlantic City Rescue Mission."*



ATTACHMENT A

FEMA's How-To Guide #3:

"Developing the Mitigation Plan – Identifying Mitigation Actions and Implementing Strategies"

Worksheet #3 and Job Aid #2



Worksheet #3: Local Mitigation Capability Assessment

List the name of the agency and its mission in the first column. By identifying the missions and functions, as well as programs, plans, policies, regulations, funding and other practices administered by that agency, local and tribal jurisdictions create an inventory of resources that can be brought to bear on mitigation efforts within the community or tribe. Use Worksheet #2: State Mitigation Capability Assessment and Worksheet Job Aid #2 in Appendix D to complete this worksheet.

List any programs, plans, policies, etc., this agency has in the second column. It is important to include within this column any legal authorities (which can be found by reviewing the state capability assessment) that govern how land would be developed within hazard areas. Typically, these types of regulations are found in local zoning, building, subdivision, and other special land development codes (such as floodplain management ordinances, hillside ordinances, etc.). You should also take the opportunity to include any resources that this organization has developed for local use as part of each respective program. Include any appropriate legal citations or source references for programs, regulations, policies, etc.

If you know a point of contact, list it in the third column.

Check off whether the programs, plans, policies, etc., have an effect on loss reduction. Communities and tribes should now evaluate the effects or implications of these activities on efforts to reduce losses within the jurisdiction (fourth column). The essential questions to be answered are: Does/would this program/plan/policy, etc., support or facilitate mitigation efforts, or does/would it hinder these efforts? How or why? Put these reasons in the Comments column. At this point, you will not try to resolve any issues (such as if a particular program or policy could negatively affect proposed mitigation efforts), but the planning team will carry this information forward as input into the evaluation of specific actions in Task C.

Finally, add any other comments you may have about the agency or its activities in the last column.

Please feel free to attach additional pages as needed.



Please feel free to attach additional pages as needed. Agency Name (Mission/Function)	Programs, Plans, Policies, Regulations, Funding, or Practices	Point of Contact Name, Address, Phone, Email	Effect on Loss Reduction*			Comments
			Support	Facilitate	Hinder	

***Definitions:**

Support: Programs, plans, policies, regulations, funding, or practices that help the implementation of mitigation actions.

Facilitate: Programs, plans, policies, etc. that make implementing mitigation actions easier.

Hinder: Programs, plans, policies, etc., that pose obstacles to implementation of mitigation actions.



Worksheet Job Aid #2: Local Hazard Mitigation Capabilities

This job aid will assist the planning team in identifying the various capabilities and capacities in your jurisdiction when completing Worksheet #3. Many of the terms below are defined in Appendix A.

Legal authority and administrative, technical, and fiscal capabilities and capacities in states and local jurisdictions vary greatly throughout the country. You should first use the results of your evaluation of state capabilities to identify any financial or technical assistance the state may be able to provide to local jurisdictions for mitigation purposes. Some states have tasked regional planning agencies with supporting local hazard mitigation planning initiatives. Discuss state and local capabilities with your State Hazard Mitigation Officer (SHMO) to identify outside resources that may be able to assist in plan implementation.

Section 1: Legal and Regulatory Capability

The following section encourages the planning team to think about the legal authorities available to your community and/or enabling legislation at the state level affecting all types of planning and land management tools that can support local hazard mitigation planning efforts in your community.

The following planning and land management tools are typically used by states and local and tribal jurisdictions to implement hazard mitigation activities. Which of the following does your jurisdiction have? If the jurisdiction does not have this capability or authority, does another entity/jurisdiction have this authority at a higher level of government (county, parish, or regional political entity), or does the state prohibit the local jurisdictions from having this authority? You should include this information in the second column on Worksheet #3.

Regulatory Tools (ordinances, codes, plans)	Local Authority (Y/N)	Does State Prohibit? (Y/N)	Higher Level Jurisdiction Authority (Y/N)	Comments
a. Building code				
b. Zoning ordinance				
c. Subdivision ordinance or regulations				
d. Special purpose ordinances (floodplain management, stormwater management, hillside or steep slope ordinances, wildfire ordinances, hazard setback requirements)				
e. Growth management ordinances (also called "smart growth" or anti-sprawl programs)				
f. Site plan review requirements				
g. General or comprehensive plan				
h. A capital improvements plan				
i. An economic development plan				



j. An emergency response plan				
k. A post-disaster recovery plan				
l. A post-disaster recovery ordinance				
m. Real estate disclosure requirements				
n. Other				

Section 2: Administrative and Technical Capacity

The following section encourages the planning team to inventory existing personnel and technical resources that can be used for mitigation planning and implementation of specific mitigation actions. Think about the types of personnel employed by your jurisdiction and the public and private sector resources that may be accessed to implement hazard mitigation activities in your community.

For smaller jurisdictions with limited capacities, no local staff resources may be available for many of the categories noted below. If so, the planning team should identify public resources at the next higher level of government that may be able to provide technical assistance to the community. For example, a small town may be able to turn to county planners or engineers to support its mitigation planning efforts or a regional planning agency may be able to provide assistance. For some hazard mitigation actions, consider federal agencies that provide technical assistance, such as the U.S. Department of Agriculture (USDA) Cooperative Extension Service, which has offices in most counties. The planning team in rural communities must be creative in identifying outside resources to augment limited local capabilities. For larger or more urban jurisdictions, this inventory task may involve targeting specific staff in various departments that have the expertise and may be used to support hazard mitigation initiatives.

You will need this information when completing **Worksheet #4: Evaluate Alternative Mitigation Actions** and when preparing your mitigation strategy in Step Three.

Identify the personnel resources responsible for activities related to hazard mitigation/loss prevention within your jurisdiction. Does your jurisdiction have:



Staff/Personnel Resources	x	Department/Agency and Position
a. Planner(s) or engineer(s) with knowledge of land development and land management practices		
b. Engineer(s) or professional(s) trained in construction practices related to buildings and/or infrastructure		
c. Planners or Engineer(s) with an understanding of natural and/or human-caused hazards		
d. Floodplain manager		
e. Surveyors		
f. Staff with education or expertise to assess the community's vulnerability to hazards		
g. Personnel skilled in GIS and/or HAZUS		
h. Scientists familiar with the hazards of the community		
i. Emergency manager		
j. Grant writers		

Section 3. Fiscal Capability

Identify whether your jurisdiction has access to or is eligible to use the following financial resources for hazard mitigation. Use this information to fill in the second column on Worksheet #3 and when preparing your mitigation strategy in Step Three.

Financial Resources	Accessible or Eligible to Use (Yes/No/Don't Know)
a. Community Development Block Grants (CDBG)	
b. Capital improvements project funding	
c. Authority to levy taxes for specific purposes	
d. Fees for water, sewer, gas, or electric service	
e. Impact fees for homebuyers or developers for new developments/homes	
f. Incur debt through general obligation bonds	
g. Incur debt through special tax and revenue bonds	
h. Incur debt through private activity bonds	
i. Withhold spending in hazard-prone areas	
j. Other	



ATTACHMENT B

FEMA's How-To Guide #4, "Bringing the Plan to Life: Implementing the Hazard Mitigation Plan"

Examples of Using Existing Resources to Accomplish Mitigation

(Reproduced by URS)

Pages 2-2 and 2-7



Examples of Using Existing Resources to Accomplish Mitigation

1. The Department of Public Works could adopt more rigorous procedures for inspecting and cleaning debris from streams and ditches. Instead of cleaning only after storms or complaints from citizens, the Department could require inspections of streams and ditches at least semi-annually.
2. The Planning Department could add hazard vulnerability to subdivision and site plan review criteria and incorporate any necessary actions at the planning stage.
3. A Community conservation society or other interested voluntary organization could perform inventories of historic sites in hazard areas that might require special treatment to protect them from specific hazards.

Personnel Resources:

1. Partners and Nonprofit Organizations and Businesses: These entities can assist the planning team in a number of ways, by including lending expertise, discounted materials, staff or volunteer time, or meeting space. The planning team can in response offer these entities opportunities for greater public exposure and thus, greater recognition. The planning team can inform partners about the hazards they potentially face the ways they can mitigate these hazards and how their staff can mitigate hazards at home.
2. Citizens: Citizens have an ongoing role to play in project implementation. The planning team should actively seek volunteers to help implement programs and activities. Knowledgeable citizens can also be recruited to provide expertise in specific subject areas. The more the team involves people in implementing the plan, the greater the support it will receive.
3. State agencies: State agencies can lend their time, expertise and funds to the implementation of hazard mitigation projects. Make sure the planning team's list of state contacts is very broad, as the resources of one state agency may be unknown to another.
4. Academic institutions: Colleges and universities can provide technical expertise to projects that may require Geographic Information System (GIS), engineering, planning or other technical assistance. They can also provide meeting space, laboratories and other logistical support.
5. Libraries: Community libraries are an excellent source of information and services, including volunteers.

